

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-2 (c)

BRUCE J. DUKE, LLC

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CHAPTER 13

CASE NO. 18-14588 (JKS)

In re:

OSMAN ALI

**CERTIFICATION IN OPPOSITION TO TRUSTEE
CERTIFICATION IN SUPPORT OF DEFAULT**

I, Bruce J Duke, do hereby certify as follows:

1. I am an attorney-at-law, licensed to practice in the state of New Jersey and counsel to debtor Osman Ali ("Debtor"). As such, I am aware of the facts of this case and competent to testify thereto.
2. I submit this certification in response and in opposition to the certification filed by the Chapter 13 trustee in support of default and dismissal.
3. It would be incredibly unfair and prejudicial if the court dismissed this bankruptcy case.
4. The debtor has worked incredibly hard to obtain confirmation of the chapter 13 plan, including but not limited to filing a proof of claim on behalf of the secured creditor which failed and/or refused to do so.
5. Additionally, the Debtor is current on all his plan payments and upon information and belief his post-petition mortgage payments.

6. That being said, I acknowledge the failure to complete the loan modification and/or loss mitigation process by August 12, 2018. Failure to do so is my responsibility only; the Debtor was merely following my legal advice, which was that I believed we had sufficient time to complete a loan modification with the creditor.

7. The Debtor remains ready to complete a loan modification with the secured creditor and merely requests additional time in which to do so. Completion of the loan modification is in the interests of all parties involved, especially the Debtor and the secured creditor.

8. Therefore, we respectfully request that the court deny the trustee recommendation of dismissal of this chapter 13 case.

I hereby certify that the foregoing factual statements made by me are true. I am aware that if any of the foregoing factual statements made by me are willfully false, I am subject to punishment.

Dated: October 13, 2018

/s/ Bruce J. Duke
Bruce J Duke